

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 SY-05

SCCT-01 OMB-01 ACDA-05 IO-11 OES-03 SNM-02 DEAE-00

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R 301211Z JAN 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC 6058

INFO AMEMBASSY BELGRADE

C O N F I D E N T I A L SECTION 01 OF 02 BONN 01617

E.O. 11652: GDS

TAGS: PINS, PFOR, YO, GW

SUBJECT: FRG-GDR SECURITY LIAISON AGREEMENT

REF: STATE 13080

1. EMBASSY OFFICERS WERE BRIEFED BY VON LOEWENICK OF THE INTERIOR MINISTRY ON JANUARY 28 ABOUT SECURITY LIAISON BETWEEN THE FRG AND YUGOSLAVIA.

2. LOEWENICK STATED THAT THE GOY INITIALLY REQUESTED AN AGREEMENT DURING A MAY, 1973, VISIT BY FONMIN GENSCHER TO BELGRADE. THIS VISIT WAS FOLLOWED BY DIFFICULT NEGOTIATIONS WHICH CULMINATED IN JULY, 1974, IN AN UNDERSTANDING BETWEEN THE INTERIOR MINISTRIES OF BOTH COUNTRIES. LOEWENICK STRESSED THAT THERE IS NO SECURITY LIAISON AGREEMENT AS SUCH; RATHER EACH MINISTER SENT A LETTER TO HIS RESPECTIVE POLICE ORGANIZATIONS INFORMING THEM OF THE UNDERSTANDING WHICH HAD BEEN REACHED AND ESTABLISHING PROCEDURES AND PARAMETERS.

3. AN UNOFFICIAL EMBASSY TRANSLATION OF THE LETTER SENT
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BY INTERIOR MINISTER MAIHOFFER TO THE BUNDESKRIMINALAMT

FOLLOWS: BEGIN TEXT

SUBJECT: COOPERATION WITH YUGOSLAVIA CONCERNING THE
FIGHT AGAINST CRIME.

THE FEDERAL MINISTER OF THE INTERIOR AND THE FEDERAL
SECRETARY FOR INTERNAL MATTERS OF THE SOCIALIST FEDERAL
REPUBLIC OF YUGOSLAVIA AGREE AFTER AN EXCHANGE OF
OPINIONS THAT ALL LEGAL AND PERMISSIBLE MEASURES ARE TO
BE TAKEN AGAINST VIOLENT AND TERRORIST ACTS BY PERSONS,
GROUPS, OR ASSOCIATIONS. THIS IS ESPECIALLY TRUE WHEN
THE TERRITORY OR PROPERTY OF THE FRG OR THE SOCIALIST
FEDERAL REPUBLIC OF YUGOSLAVIA OR PERSONS ARE
THREATENED WHO RESIDE IN ONE OF THE TWO COUNTRIES.

IN ORDER TO DEVELOP AN EFFECTIVE PROTECTION AGAINST THE
THREATENED DANGERS OF TERRORISM AND OTHER FORMS OF
SERIOUS CRIME, I HAVE ORDERED THE FOLLOWING:

1. IN ORDER TO PREVENT THE COMMISSION OF VIOLENT AND
TERRORISTIC ACTS, THE DIRECTION FOR PUBLIC SECURITY OF
THE FEDERAL SECRETARIAT FOR INTERNAL MATTERS IN BELGRADE
IS TO BE GIVEN INFORMATION IN CONFORMITY WITH INTERNAL
LAW CONCERNING SUCH CRIMES, WHICH MAY BE COMMITTED:

-- IN THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA;

-- AGAINST ESTABLISHMENTS OF THE SOCIALIST FEDERAL
REPUBLIC OF YUGOSLAVIA; OR

-- AGAINST YUGOSLAVIAN CITIZENS IN THE FRG
INCLUSIVE OF BERLIN OR IN THIRD COUNTRIES.

1.1 AT THE REQUEST OF THE DIRECTION FOR PUBLIC
SECURITY OF THE FEDERAL SECRETARIAT FOR INTERNAL MATTERS
SUPPLEMENTARY INFORMATION MAY BE PROVIDED.

1.2 INFORMATION MAY BE PROVIDED TO THE DIRECTION FOR
PUBLIC SECURITY OF THE FEDERAL SECRETARIAT FOR
INTERNAL MATTERS REGARDLESS OF THE QUESTION BY WHOM
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AND WHERE SUCH ACTS COULD BE COMMITTED, AND OF THE
MOTIVATION OF THE PERSONS, GROUPS, OR ASSOCIATIONS WHO
POSE THE THREAT.

2. NUMBER 1 IS ALSO TRUE FOR THE FIGHT AGAINST CRIME IN
THE ILLEGAL TRADE IN DRUGS, WEAPONS, EXPLOSIVES AND
MUNITIONS, THE PRODUCTION OR DISSEMINATION OF COUNTER-
FEIT MONEY AND SMUGGLING OF MOTOR VEHICLES.

3. WITH THE TRANSMITTAL OF INFORMATION IT SHOULD BE POINTED OUT WHETHER THE INFORMATION CAN BE SUBSTANTIATED WITH LEGAL EVIDENCE BEFORE A COURT.

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FM AMEMBASSY BONN

TO SECSTATE WASHDC 6059

INFO AMEMBASSY BELGRADE

C O N F I D E N T I A L SECTION 02 OF 02 BONN 01617

4. IF INFORMATION TRANSMITTED BY THE DIRECTION FOR PUBLIC SECURITY OF THE FEDERAL SECRETARIAT FOR INTERNAL MATTERS PROVIDES SUPPORT FOR THE SUSPICION OF A PLANNED CRIMINAL OFFENSE, THE APPROPRIATE MEASURES ARE TO BE TAKEN.

5. ON THE BASIS OF A REQUEST AN EXCHANGE OF VIEWS MAY TAKE PLACE WITH THE DIRECTION FOR PUBLIC SECURITY OF THE FEDERAL SECRETARIAT FOR INTERNAL MATTERS IN BELGRADE WITH RESPECT TO EXPERIENCE GAINED IN THE FIGHT AGAINST CRIME WITHIN THE FRAMEWORK OF NUMBERS 1 AND 2. ON REQUEST, COMMISSIONED AGENTS MAY BE SENT FOR THE PURPOSE OF TECHNICAL SUPPORT.

6. THIS ORDER IS VALID ONLY FOR THE AREA OF POLICE-RELATED MEASURES FOR THE PREVENTION OF CRIME, THE

RESOLUTION OF CRIMES, AND THE APPREHENSION OF THEIR PERPETRATORS.

THE AGREEMENT BETWEEN THE FRG AND THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA OF 1 OCT. 1971, CONCERNING LEGAL ASSISTANCE IN CRIMINAL MATTERS REMAINS UNAFFECTED BY CONFIDENTIAL

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THIS ORDER. END QUOTE.

4. AFTER DISCUSSING THE UNDERSTANDING ITSELF, LOEWENICK FRANKLY OUTLINED TO EMBOFFS THE PRACTICAL DIFFICULTIES ENCOUNTERED THUS FAR IN IMPLEMENTING THE UNDERSTANDING. THE FRG AND GOY ARE APPARENTLY SATISFIED WITH THE RESULTS WHICH THEIR SECURITY LIAISON HAS PRODUCED IN COMBATING EASILY RECOGNIZED, VIOLENT ACTS OF TERRORISM. THE GOY, HOWEVER, IS DISSATISFIED WITH THE FRG'S COOPERATION IN COMBATING "POLITICAL TERRORISTS." DESPITE THE UNDERSTANDING, THE TWO GOVERNMENTS HAVE DIFFERENT DEFINITIONS OF WHAT CONSTITUTES A THREAT AND WHAT CAN BE DONE AGAINST POSSIBLE THREATS. THE CHIEF PROBLEM IS THAT THE YUGOSLAVS LABEL ANY EMIGRE WHO IS ANTI-TITO AS A TERRORIST -- A DEFINITION THE FRG CANNOT ACCEPT. IN ADDITION, THE FRG MUST OBSERVE STRICT CONSTITUTIONAL SAFEGUARDS ON INDIVIDUAL LIBERTIES AND CANNOT ACT ON ALL THE INFORMATION PROVIDED BY THE YUGOSLAVS. APPARENTLY THIS LACK OF FRG ACTION HAS OCCASIONALLY PROMPTED THE YUGOSLAVS TO OPERATE ON FRG TERRITORY AGAINST EMIGRES WHOM THE GOY PERCEIVES AS POLITICALLY THREATENING. LOEWENICK STATED HE POSSESSED NO PROOF OF THIS ALLEGATION, BUT HE CLAIMED HE WAS CERTAIN THAT SEVERAL UNEXPLAINED MURDERS OF EMIGRES WERE THE RESULT OF GOY ACTIONS ON FRG TERRITORY. A DECEMBER 1975 MEETING OF THE INTERIOR MINISTERS FAILED TO RECONCILE THESE DIFFERING PERCEPTIONS. VON LOEWENICK LATER EMPHASIZED, HOWEVER, THAT HE BELIEVED THE FRG'S EMIGRE PROBLEM IS MUCH WORSE THAN THE U.S.'S SINCE MORE EMIGRES LIVE IN THE FRG THAN IN THE US AND THE FRG IS MUCH MORE ACCESSIBLE TO YUGOSLAVIA THAN IS THE US.

5. IN PRACTICE THE GOY TRANSMITS ITS INFORMATION ON TERRORIST ACTIVITIES THROUGH ITS EMBASSY IN BONN AND TRIES TO DISCOURAGE ITS CONSULAR OFFICIALS FROM CONTACTING THE LOCAL GERMAN OFFICIALS WITHOUT USING THE EMBASSY CHANNEL. LOEWENICK WOULD PREFER, HOWEVER, THE GOY TO CONTACT THE BUNDESKRIMINALAMT DIRECTLY.

6. WHILE EMBOFFS DID NOT TELL LOEWENICK THAT GOY HAS CONFIDENTIAL

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REQUESTED A SIMILAR SECURITY LIAISON ARRANGEMENT WITH THE
US, LOEWENICK REQUESTED ANY INFORMATION WE COULD GIVE
HIM ABOUT HOW WE DEAL WITH TERRORIST ACTS OF
YUGOSLAVIAN EMIGRES, THE YUGOSLAVIAN PERCEPTION OF
THIS DANGER, AND HOW FORTHCOMING THE USG IS IN
SATISFYING YUGOSLAVIAN REQUESTS FOR COOPERATION.
EMBASSY, THEREFORE, REQUESTS DEPARTMENT TO AUTHORIZE
US TO INFORM LOEWENICK OF THE RESULTS OF US-GOY
DISCUSSIONS.
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